



JUDICIAL INVESTIGATION COMMISSION

212 Dickinson Street
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October 7, 1994

Re: JIC Advisory Opinion 1994-19

Dear

Your request for an advisory opinion was reviewed by the Judicial Investigation Commission at its most recent meeting. In your letter to the Commission you inquire as to the propriety under the Code of Judicial Conduct of a full-time family law master also serving as an officer in the local Bar Association. Under the custom of the organization once an individual is elected as secretary that person in following years assumes the offices of vice-president and president. You asked whether you could continue to serve as secretary and if this were acceptable under the Code whether you could then become vice-president and president.

Canon 4C(3)(a) of the Code of Judicial Conduct states:

CANON 4

A JUDGE SHALL SO CONDUCT THE JUDGE'S EXTRA-
JUDICIAL ACTIVITIES AS TO MINIMIZE THE RISK OF
CONFLICT WITH JUDICIAL OBLIGATIONS

C. Governmental, Civic, and Charitable Activities.

(3) Civic and Charitable Activities. A judge may participate in civic and charitable activities that do not reflect adversely upon the judge's impartiality or interfere with the performance of the judge's

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judicial duties. A judge may serve as an officer, director, trustee, or non-legal adviser of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members subject to the following limitations:

(a) A judge should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before the judge or will be regularly engaged in adversary proceedings in any court.

After reviewing the Canon and your inquiry, the Commission felt that this language would preclude you from serving as an officer in the local Bar Association. While the organization would not be engaged in proceedings ordinarily coming before you or regularly engaged in adversarial proceedings, at least some of the members of the Bar Association would be. Because you are a full-time family law master and based on the language set forth in the Canon, the Commission feels that you should no longer serve as an officer in the local Bar Association.

If you have any further question concerning this matter, do not hesitate to contact the Commission.

Very truly yours,

Fred L. Fox, II
Fred L. Fox, II, Chairman

FLF, II/bl